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New York

SUMMARY RECORD OF THE 2nd MEETING

Chairman: Mr. ZARIF (Islamic Republic of Iran)

CONTENTS

STATEMENT BY THE CHAIRMAN

ELECTION OF OFFICERS

ESTABLISHMENT OF SUBSIDIARY BODIES

ORGANIZATION OF WORK

AGENDA ITEM 135: ADDITIONAL PROTOCOL ON CONSULAR FUNCTIONS TO THE VIENNA CONVENTION ON CONSULAR RELATIONS

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The meeting was called to order at 3.25 p.m.

STATEMENT BY THE CHAIRMAN

1. The CHAIRMAN said that justice, and respect for the principles of international law, were among the most essential components of a peaceful world as envisaged by the founders of the United Nations. In order to achieve those lofty objectives, the Charter of the United Nations had assigned to the General Assembly a special role in the promotion of international cooperation and encouragement of the progressive development of international law and its codification.

2. Although the United Nations had not been able to discharge fully its functions in the maintenance of international peace and security during the cold war, under its auspices dozens of conventions and other international instruments had been developed in virtually every domain. Resolutions and declarations adopted by the General Assembly had helped to form a consensus on the interpretation of many abstract principles of international law as well as the formulation of new rules and principles. International law was developing as a result of its extension to new areas, its enrichment by new subjects and the rapid pace of change in the international community. Nevertheless, it had yet to play a satisfactory role in relations among States. Very recent cases of the brutal uses of force, attempts to impose one's will on others in contravention of norms and principles set forth in the Charter and grave breaches of international humanitarian law indicated that violation of the principles of international law remained a reality.

3. Yet new avenues had been opened in the 1990s in inter-State relations, and the ever-increasing awareness among nations of their interdependence and common responsibility for the future of mankind left room for optimism. It was the desire of the overwhelming majority of members of the international community to strengthen the rule of law that had led to proclaiming the period 1990-1999 as the United Nations Decade of International Law. As a result of the ongoing changes in the world and their impact on the United Nations, the Committee was gaining an increasing role and significance; it was imperative for it to utilize the unique opportunity when considering the highly important issues on its agenda.

ELECTION OF OFFICERS

4. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to elect Mr. Tomka (Czechoslovakia) and Ms. Flores (Uruguay) as Vice-Chairmen, and Mr. Aboulmagd (Egypt) as Rapporteur.

5. It was so decided.

6. Mr. AFONSO (Mozambique) noted, as outgoing Chairman of the Committee, that at a time when humanity was seeking a new international order in a world

(Mr. Afonso, Mozambique)

context that was free of the cold war, the Committee's role was becoming still more important within the United Nations system. Therefore, the task facing the Committee was not an easy one.

ESTABLISHMENT OF SUBSIDIARY BODIES

7. The CHAIRMAN said that, with regard to agenda item 128, namely, "United Nations Decade of International Law", the General Assembly had, in resolution 46/53, requested the Working Group to continue to work at the forty-seventh session in accordance with its mandate and methods of work.

8. If he heard no objection, he would take it that the Committee wished to convene the Working Group on the United Nations Decade of International Law.

9. It was so decided.

10. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to elect Mr. Dastis (Spain) as Chairman of the Working Group.

11. It was so decided.

12. The CHAIRMAN said that, with respect to agenda item 130, entitled "Convention on jurisdictional immunities of States and their property", the General Assembly, in resolution 46/55, had decided to establish at its forty-seventh session an open-ended working group of the Sixth Committee.

13. If he heard no objection, he would take it that the Committee wished to establish a Working Group on Jurisdictional Immunities of States and their property.

14. It was so decided.

15. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to elect Mr. Calero-Rodrigues (Brazil) as Chairman of the Working Group on Jurisdictional Immunities of States and their property.

16. It was so decided.

17. The CHAIRMAN said that, with respect to agenda item 132, entitled "Consideration of the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and of the draft optional protocols thereto", the General Assembly, in resolution 46/57, had decided to resume informal consultations at its forty-seventh session.

18. If he heard no objection, he would take it that the Committee decided that Mr. Tomka (Czechoslovakia) would serve as Chairman in those informal consultations.

19. It was so decided.

20. The CHAIRMAN said that, with respect to agenda item 135, entitled "Additional protocol on consular functions to the Vienna Convention on Consular Relations", the General Assembly, in resolution 46/61, had decided to hold informal consultations during its forty-seventh session to examine the proposals on the subject.

21. If he heard no objection, he would take it that the Committee decided that Ms. Flores (Uruguay) would serve as chairman in those informal consultations.

22. It was so decided.

ORGANIZATION OF WORK

23. The CHAIRMAN said that the document on the organization of work (A/C.6/47/L.1), which took into account the results of the informal consultations conducted by the Legal Counsel on 3 September 1992, would be available on 22 September 1992. Meanwhile, the Committee could take a decision on its programme for the first week of the session, 21 to 25 September 1992. The report of the United Nations Commission on International Trade Law (UNCITRAL) (A/47/17) was available, but the second report on that agenda item was not yet available. The Committee could therefore take up the first report on the understanding that it would take up the second report at a later stage.

24. The report of the Secretary-General regarding the additional protocol on consular functions to the Vienna Convention on Consular Relations (A/47/327 and Add.1) and on the Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts (A/47/324) were available and agenda item 132 required no new documentation.

25. It had been suggested that there should be no meetings on 21 September 1992 and that, on 22 September, informal consultations should be initiated on items 137 and 134. The plenary meetings of the Committee would therefore start on 23 September. He suggested that during the first week, the Committee should take up consideration of items 133 and 128.

26. If he heard no objection, he would take it that the Committee was in agreement with those suggestions.

27. It was so decided.

ITEM 135: ADDITIONAL PROTOCOL ON CONSULAR FUNCTIONS TO THE VIENNA CONVENTION ON CONSULAR RELATIONS

28. Mr. FLEISCHHAUER (Legal Counsel) said that the report of the Secretary-General on item 135, in documents A/47/327 and Add.1, was divided into two sections: section 1 was the introduction, which set out the relevant

(Mr. Fleischhauer)

paragraphs of General Assembly resolution 46/61 inviting Member States as well as other States parties to the Vienna Convention to submit their views on the question to the Secretary-General in accordance with resolution 45/47, and requesting the Secretary-General to submit a report containing such views to the General Assembly at its current session. Section II of the report contained the texts of the replies which had been received by the Secretary-General. A total of six replies had been received, four of which were reproduced in the report, and two in the addendum. He hoped that the material contained in the report would assist the Committee in its deliberations on the subject.

The meeting rose at 4 p.m.